

1142  
Ad 4P  
P-1  
Cof. 3

Issued January 13, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WASHINGTON, D. C.

REGULATIONS PERTAINING TO THE 1939 PRICE ADJUST-  
MENT PAYMENT PROGRAM FOR PRODUCERS OF  
WHEAT, COTTON, CORN (IN THE COMMERCIAL CORN-  
PRODUCING AREA), RICE, AND TOBACCO

CONTENTS

	Page
SEC. 1 Definitions.....	2
SEC. 2 Eligibility for payment.....	2
SEC. 3 Measure of payment.....	2
SEC. 4 Rate of payment.....	2
SEC. 5 Division of payment.....	2
SEC. 6 General provisions relating to payments.....	3
(a) Payments made without regard to claims.....	3
(b) Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.....	3
(c) Individual farm compliance.....	4
SEC. 7 Deduction for association expenses.....	4
SEC. 8 Application for payment.....	4
SEC. 9 Death, disappearance, or incompetency.....	4
(a) Death.....	4
(b) Disappearance.....	5
(c) Incompetency.....	5
SEC. 10 Appeals.....	10
SEC. 11 Forms and instructions.....	11
SEC. 12 Signatures and authorizations.....	12
SEC. 13 Performance of duties of State and county committees in Hawaii and Puerto Rico.....	13

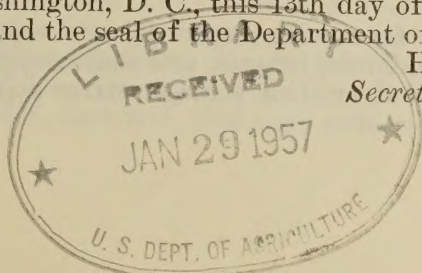
By virtue of the authority vested in the Secretary of Agriculture by the Price Adjustment Act of 1938, approved June 21, 1938 (Title V of Public Res. No. 122, 75th Congress; 52 Stat. 819), and pursuant to the provisions of Section 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 45), and the second paragraph of Section 15 of the Soil Conservation and Domestic Allotment Act, as amended by Section 104 of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 35), I, H. A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations governing price adjustment payments which will be made to 1939 wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco producers, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture under said provisions of law.

Done at Washington, D. C., this 13th day of January 1939. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,  
*Secretary of Agriculture.*

124325°—39





## SEC. 1 DEFINITIONS

As used herein and in all forms and documents relating to the 1939 Price Adjustment Payment Program for producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, (hereinafter referred to as the 1939 Price Adjustment Program), unless the context or subject-matter otherwise requires, the terms:

(a) **Secretary, Administrator, Regional Director, State committee, county committee, person, landlord, tenant, sharecropper, commercial corn-producing area, acreage planted to wheat, acreage planted to cotton, and acreage planted to corn** shall have the same meanings assigned to them in the 1939 Agricultural Conservation Program Bulletin (ACP-1939) and supplements thereto.

(b) **Farm** means the area of land considered as a farm for the purposes of the 1939 Agricultural Conservation Program.

(c) **Parity and marketing year** shall have the same meanings assigned to them in the Agricultural Adjustment Act of 1938.

## SEC. 2 ELIGIBILITY FOR PAYMENT

In order to be eligible for a price adjustment payment with respect to a commodity, a person must have an interest as a landlord, tenant, or sharecropper in a farm (1) for which an acreage allotment has been established for the commodity under the 1939 Agricultural Conservation Program; (2) on which the acreage planted to such commodity for harvest in 1939 is not in excess of such acreage allotment; and (3) on which such commodity was planted for harvest in 1938 or 1939, or the county committee determines that the failure to plant such commodity for harvest in at least one of such years was due to flood or drought.

## SEC. 3 MEASURE OF PAYMENT

The payment for a farm with respect to any commodity shall be measured by the product of the normal yield per acre and of the acreage allotment established for that commodity for such farm under the 1939 Agricultural Conservation Program.

## SEC. 4 RATE OF PAYMENT

The rate of payment with respect to any commodity shall be determined, within the limits of available funds, in accordance with the provisions of the Price Adjustment Act of 1938 as soon as practicable after January 31, 1939. The rate of payment with respect to a commodity shall not exceed the amount by which the average farm price of such commodity during the period from the beginning of the 1938-39 marketing year for such commodity to January 31, 1939, is less than 75 per centum of the parity price of such commodity for such period.

## SEC. 5 DIVISION OF PAYMENT

The payment for a farm with respect to any commodity shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms



of either planted acreages or percentages) that such persons are determined by the county committee to be entitled to share as of the time of harvest in the proceeds (other than a fixed commodity payment) of such commodity grown on the farm for harvest in 1939. Such determination shall be made at such time as compliance with the provisions of the 1939 Price Adjustment Program with respect to such commodity is certified by the county committee; *Provided*, that if because of crop failure the acreage of the crop on the farm at the time such determination is made and any acreage harvested prior thereto is less than the acreage planted to such crop, and the county committee finds, in accordance with instructions issued by the Agricultural Adjustment Administration, that the use of the acreage on the farm at the time such determination is made and any acreage harvested prior thereto as a basis for the division of payment would result in a materially different division from that which would result from the use of the planted acreage, such payment shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines that such persons would have been entitled to share in the proceeds of such crop in the absence of such crop failure; *Provided, further*, That if the commodity is not grown on the farm in 1939 the payment shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines that such persons would have been entitled to share in the proceeds of such crop if the entire acreage in such acreage allotment for such commodity had been planted for harvest in 1939; *Provided, further*, That upon the written agreement of all persons who are entitled to receive a landlord's share of the proceeds of such crop or who have an interest as a landlord in a tract of land (excluding land rented for cash or a fixed commodity payment) which has contributed to the acreage allotment established for the commodity on the farm, the landlords' share of the payment shall be divided on the basis of each landlord's respective share (as indicated by his acreage share expressed in terms of either planted acreages or percentages) in the acreage allotment which could have been established for the commodity on the land in which he has an interest.

#### SEC. 6 GENERAL PROVISIONS RELATING TO PAYMENTS

(a) **Payments made without regard to claims.**—Any payment or share of payment shall be made without regard to questions of title under State law, without deduction of assignments or claims for advances, and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(b) **Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.**—If on any farm in 1939 any change of the arrangements which existed on the farm in 1938 is made between the landlord and the tenants or sharecroppers and such change would increase the amount of payment that would otherwise be made to the landlord, such payment to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the change is not justified and disapproves such change. If on any farm the number of sharecroppers or share tenants in 1939 is less than the average number on the farm during the years 1936 to 1938, inclusive, and such reduction would increase the



payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

(c) **Individual farm compliance.**—The eligibility of a person to receive a 1939 price adjustment payment with respect to a particular commodity with respect to a farm will not be affected by the farming operations carried out on any other farm in which he is interested as landlord, tenant, or sharecropper.

## SEC. 7. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted pro rata from the price adjustment payment for any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred in connection with the 1939 Price Adjustment Program by the county association in the county in which the farm is located.

## SEC. 8 APPLICATION FOR PAYMENT

Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms, and such notice shall afford full and fair opportunity for eligible producers to file such forms.

## SEC. 9 DEATH, DISAPPEARANCE, OR INCOMPETENCY

(a) **Death.**—Where any person who is otherwise eligible to receive a payment dies before the payment is received, payment may be made, upon proper application therefor, without regard to claims of creditors other than the United States, in accordance with the following order of precedence:

- (1) To the administrator or executor of the deceased person's estate;
- (2) If there is no administrator or executor and none is expected to be appointed, to the surviving spouse;
- (3) If there is no surviving spouse, to the sons and daughters in equal shares. Children of a deceased son or daughter of a deceased person shall be entitled to their parent's share of the payment, share and share alike. If there are no surviving direct descendants of a deceased son or daughter of such deceased person, the share of the payment which otherwise would have been made to such son or daughter shall be divided equally among the sons and daughters of such deceased person who are alive or who have surviving children.
- (4) If there is no surviving spouse and no direct descendant, payment shall be made to the father and mother of the deceased person in equal shares, or the whole thereof to the surviving father or mother;
- (5) If there is no surviving spouse, no direct descendant, and no surviving parent, payment shall be made to the brothers and sisters of the deceased person in equal shares. Children of a deceased brother or sister shall be entitled to their parent's share of the payment, share and share alike. If there are no surviving direct descendants of the deceased brother or sister of such de-



ceased person, the share of the payment which otherwise would have been made to such brother or sister shall be divided equally among the brothers and sisters of such deceased person who are alive or who have surviving children;

(6) If there is no surviving spouse, direct descendant, parent, or brothers or sisters or their descendants, the payment shall be made to the heirs-at-law.

Legally adopted children shall be entitled to share in any payment in the same manner and to the same extent as other children. If any person who is entitled to payment under the above order of precedence is a minor, payment of his share shall be made to his legal guardian, but if no legal guardian has been appointed payment shall be made to his natural guardian for his benefit, unless the minor's share of the payment exceeds \$500, in which event payment shall be made only to his legal guardian. Any payment which the deceased person could have received may be made jointly to the persons found to be entitled to such payment or shares thereof under this subsection, or, pursuant to instructions issued by the Agricultural Adjustment Administration, a separate check may be issued to each person entitled to share in such payment.

(b) **Disappearance.**—In case any person entitled to payment hereunder disappears after making application but before receiving the payment, such payment may be made without regard to claims of creditors other than the United States to one of the following in the order mentioned:

- (1) The conservator or liquidator of his estate, if one be duly appointed.
- (2) The spouse.
- (3) An adult son or daughter or grandchild for the benefit of his estate.
- (4) The mother or father for the benefit of his estate.
- (5) An adult brother or sister for the benefit of his estate.

A person shall be deemed to have disappeared if (1) he has been missing for a period of more than three months, (2) a diligent search has failed to reveal his whereabouts, and (3) such person has not communicated during such period with other persons who would be expected to have heard from him. Proof of such disappearance must be presented to the county committee in the form of an affidavit executed by the person making the application for payment, setting forth the above facts, and must be substantiated by an affidavit from a disinterested person who was well acquainted with the person who has disappeared.

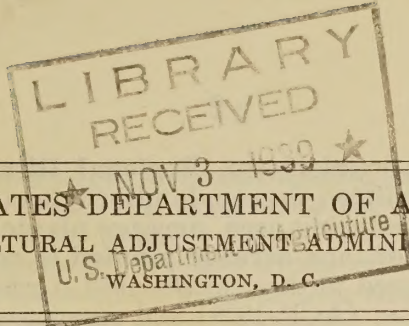
(c) **Incompetency.**—Where any person who is otherwise eligible to receive a payment is adjudged incompetent by a court of competent jurisdiction before the payment is received, payment may be made, upon proper application therefor, without regard to claims of creditors other than the United States to the guardian or committee legally appointed for such incompetent person. In case no guardian or committee has been appointed, payment, if not more than \$500, may be made without regard to claims of creditors other than the United States to one of the following in the order mentioned for the benefit of the incompetent person:

- (1) The spouse.
- (2) An adult son, daughter, or grandchild.
- (3) The mother or father.
- (4) An adult brother or sister.
- (5) Such person as may be authorized under State law to receive payment for him (see standard procedure prescribed for the respective region).





UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION



**REGULATIONS PERTAINING TO THE 1939 PRICE ADJUSTMENT PAYMENT PROGRAM FOR PRODUCERS OF WHEAT, COTTON, CORN (IN THE COMMERCIAL CORN-PRODUCING AREA), RICE, AND TOBACCO—REVISED**

(A compilation of the regulations pertaining to the 1939 Price Adjustment Payment Program, effective as of September 11, 1939)

By virtue of the authority vested in the Secretary of Agriculture by the Price Adjustment Act of 1938, approved June 21, 1938 (Title V of Public Res. No. 122, 75th Congress; 52 Stat. 819), and pursuant to the provisions of Section 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 45), and the second paragraph of Section 15 of the Soil Conservation and Domestic Allotment Act, as amended by Section 104 of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 35), I, H. A. WALLACE, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following regulations governing price adjustment payments which will be made to 1939 wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco producers, to be in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture under said provisions of law.

Done at Washington, D. C., this 11th day of September 1939. Witness my hand and the seal of the Department of Agriculture.<sup>1</sup>

[SEAL]

H. A. WALLACE,  
*Secretary of Agriculture.*

**SEC. 1 DEFINITIONS**

As used herein and in all forms and documents relating to the 1939 Price Adjustment Payment Program for producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, (hereinafter referred to as the 1939 Price Adjustment Program), unless the context or subject-matter otherwise requires, the terms:

<sup>1</sup>This is the attestation of Supplement No. 6 to the Regulations Pertaining to the 1939 Price Adjustment Payment Program for producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco. Attestations similar to that above appeared on the regulations approved January 13, 1939, and on each of the Supplements 1 to 6, inclusive, which are included herein. The supplements were approved on the following dates: Supplement No. 1, February 14, 1939; Supplement No. 2, April 22, 1939; Supplement No. 3, May 13, 1939; Supplement No. 4, July 8, 1939; Supplement No. 5, August 17, 1939; Supplement No. 6, September 11, 1939.



(a) **Secretary, Administrator, Regional Director, State committee, county committee, person, landlord, tenant, sharecropper, commercial corn-producing area, acreage planted to wheat, acreage planted to cotton, and acreage planted to corn** shall have the same meanings assigned to them in the 1939 Agricultural Conservation Program Bulletin (ACP-1939) and supplements thereto.

(b) **Farm** means the area of land considered as a farm for the purposes of the 1939 Agricultural Conservation Program.

(c) **Parity and marketing year** shall have the same meanings assigned to them in the Agricultural Adjustment Act of 1938.

## SEC. 2 ELIGIBILITY FOR PAYMENT

In order to be eligible for a price adjustment payment with respect to a commodity, a person must have an interest as a landlord, tenant, or sharecropper in a farm (1) for which an acreage allotment has been established for the commodity under the 1939 Agricultural Conservation Program; (2) on which the acreage planted to such commodity for harvest in 1939 is not in excess of such acreage allotment; and (3) which is not idle in 1939; or, in the case of wheat, on which such crop was planted for harvest in 1938 or 1939, or the county committee determines that the failure to plant wheat for harvest in at least one of such years was due to flood or drouth.

## SEC. 3 MEASURE OF PAYMENT

The payment for a farm with respect to any commodity shall be measured by the product of the normal yield per acre and of the acreage allotment established for that commodity for such farm under the 1939 Agricultural Conservation Program.

## SEC. 4 RATE OF PAYMENT

The rate of payment with respect to each commodity shall be as follows:

(a) **Cotton.**—1.6 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment.

(b) **Corn.**—6 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment.

(c) **Wheat.**—11 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment.

(d) **Rice.**—12 cents per hundredweight of the normal yield per acre of rice for the farm for each acre in the rice allotment.

(e) **Tobacco.**—No price adjustment payments shall be made with respect to tobacco since the average farm price of each kind of tobacco, as defined in Section 301 of the Agricultural Adjustment Act, as amended, equals or exceeds 75 percentum of the parity price of such kind of tobacco.

## SEC. 5 DIVISION OF PAYMENT

The payment for a farm with respect to any commodity shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms



of either planted acreages or percentages) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such commodity planted on the farm for harvest in 1939. Such determination shall be made at such time as compliance with the provisions of the 1939 Price Adjustment Program with respect to such commodity is certified by the county committee: *Provided*, That if any such commodity is not planted for harvest on the farm in 1939 or the acreage of such commodity is substantially reduced by flood, hail, drought, or insects, payment with respect to such commodity shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such commodity if the entire acreage in the acreage allotment for such commodity had been planted and harvested in 1939; *Provided further*, That in cases where two or more separately owned tracts of land comprise a farm, in areas designated by the Administrator as areas in which a substantial proportion of the farms are comprised of two or more separately owned tracts of land, upon the written agreement of all persons who are entitled to receive a share in the proceeds of any such commodity the share of each such person in the payment with respect to such commodity on the farm shall be that indicated in such written agreement by each such person as that share which fairly reflects the contribution of each such person to performance with respect to such commodity and also results substantially in a division of such payment among landlords, tenants, and sharecroppers as classes as each such class shares in the commodity or proceeds thereof with respect to which the payment is being made; *Provided, further*, That if for any reason the total acreage of cotton on the farm in 1939 is less than 80 percent of the cotton acreage allotment established for the farm and the acreage of cotton which is or would have been planted for harvest on the farm in 1939 by any tenant or sharecropper is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally plant thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the payment computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton acreage allotment had been planted and harvested in 1939, but in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1939.

#### SEC. 6 GENERAL PROVISIONS RELATING TO PAYMENTS

(a) **Payments made without regard to claims.**—Any payment or share of payment shall be made without regard to questions of title under State law, without deduction of assignments or claims for advances, and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.



(b) **Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.**—If on any farm in 1939 any change of the arrangements which existed on the farm in 1938 is made between the landlord and the tenants or sharecroppers and such change would increase the amount of payment that would otherwise be made to the landlord, such payment to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the change is not justified and disapproves such change. If on any farm the number of sharecroppers or share tenants in 1939 is less than the average number on the farm during the years 1936 to 1938, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

(c) **Individual farm compliance.**—The eligibility of a person to receive a 1939 price adjustment payment with respect to a particular commodity with respect to a farm will not be affected by the farming operations carried out on any other farm in which he is interested as landlord, tenant, or sharecropper.

(d) **Payment restricted to effectuation of purposes of the program.**—All or any part of any payment which would otherwise be made to any person under the 1939 Price Adjustment Program may be withheld if the county committee finds that (1) he has overplanted or caused the overplanting of the acreage allotment which was or could have been established for a separately-owned tract of land included in a combination farm and refuses to cooperate with other producers having an interest in the farm in making equitable adjustments with respect thereto, or (2) he has adopted any practices which the Secretary determines tend to defeat any of the purposes of the 1939 Price Adjustment Payment Program.

#### SEC. 7 DEDUCTION FOR ASSOCIATION EXPENSES

No part of the price adjustment payment computed for any farm shall be deducted for county association expenses incurred or to be incurred in connection with the 1939 Price Adjustment Program.

#### SEC. 8 APPLICATION FOR PAYMENT

Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms, and such notice shall afford full and fair opportunity for eligible producers to file such forms.

#### SEC. 9 DEATH, DISAPPEARANCE, OR INCOMPETENCY

(a) **Death.**—Where any person who is otherwise eligible to receive a payment dies before the payment is received, payment may be made,



upon proper application therefor, without regard to claims of creditors other than the United States, in accordance with the following order of precedence:

- (1) To the administrator or executor of the deceased person's estate;
- (2) If there is no administrator or executor and none is expected to be appointed, to the surviving spouse;
- (3) If there is no surviving spouse, to the sons and daughters in equal shares. Children of a deceased son or daughter of a deceased person shall be entitled to their parent's share of the payment, share and share alike. If there are no surviving direct descendants of a deceased son or daughter of such deceased person, the share of the payment which otherwise would have been made to such son or daughter shall be divided equally among the sons and daughters of such deceased person who are alive or who have surviving children.
- (4) If there is no surviving spouse and no direct descendant, payment shall be made to the father and mother of the deceased person in equal shares, or the whole thereof to the surviving father or mother;
- (5) If there is no surviving spouse, no direct descendant, and no surviving parent, payment shall be made to the brothers and sisters of the deceased person in equal shares. Children of a deceased brother or sister shall be entitled to their parent's share of the payment, share and share alike. If there are no surviving direct descendants of the deceased brother or sister of such deceased person, the share of the payment which otherwise would have been made to such brother or sister shall be divided equally among the brothers and sisters of such deceased person who are alive or who have surviving children;
- (6) If there is no surviving spouse, direct descendant, parent, or brothers or sisters or their descendants, the payment shall be made to the heirs-at-law.

Legally adopted children shall be entitled to share in any payment in the same manner and to the same extent as other children. If any person who is entitled to payment under the above order of precedence is a minor, payment of his share shall be made to his legal guardian, but if no legal guardian has been appointed payment shall be made to his natural guardian or custodian for his benefit, unless the minor's share of the payment exceeds \$500, in which event payment shall be made only to his legal guardian. Any payment which the deceased person could have received may be made jointly to the persons found to be entitled to such payment or shares thereof under this subsection, or, pursuant to instructions issued by the Agricultural Adjustment Administration, a separate check may be issued to each person entitled to share in such payment.

(b) **Disappearance.**—In case any person entitled to payment hereunder disappears after making application but before receiving the payment, such payment may be made without regard to claims of creditors other than the United States to one of the following in the order mentioned:

- (1) The conservator or liquidator of his estate, if one be duly appointed.
- (2) The spouse.
- (3) An adult son or daughter or grandchild for the benefit of his estate.
- (4) The mother or father for the benefit of his estate.
- (5) An adult brother or sister for the benefit of his estate.

A person shall be deemed to have disappeared if (1) he has been missing for a period of more than three months, (2) a diligent search has failed to reveal his whereabouts, and (3) such person has not communicated during such period with other persons who would be expected to have heard from him. Proof of such disappearance must be presented to the county committee in the form of an affidavit executed by the person making the application for payment, setting

forth the above facts, and must be substantiated by an affidavit from a disinterested person who was well acquainted with the person who has disappeared.

(c) **Incompetency.**—Where any person who is otherwise eligible to receive a payment is adjudged incompetent by a court of competent jurisdiction before the payment is received, payment may be made, upon proper application therefor, without regard to claims of creditors other than the United States to the guardian or committee legally appointed for such incompetent person. In case no guardian or committee has been appointed, payment, if not more than \$500, may be made without regard to claims of creditors other than the United States to one of the following in the order mentioned for the benefit of the incompetent person:

- (1) The spouse.
- (2) An adult son, daughter, or grandchild.
- (3) The mother or father.
- (4) An adult brother or sister.
- (5) Such person as may be authorized under State law to receive payment for him (see standard procedure prescribed for the respective region).

In case payment is more than \$500, payment may be made only to such person as may be authorized under State law to receive payment for the incompetent producer.

#### SEC. 10 APPEALS

Any person may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters affecting any farm in which he has an interest: (a) eligibility to file an application for payment; (b) the division of payment; or (c) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

The procedure respecting appeals under this section shall be the same as under the appeals provisions of the 1939 Agricultural Conservation Program applicable in the region in which the appeal arises.

#### SEC. 11 FORMS AND INSTRUCTIONS

The Agricultural Adjustment Administration shall prescribe such forms and issue such instructions as may be necessary to carry out the 1939 Price Adjustment Program in conformity with these regulations.



**SEC. 12 SIGNATURES AND AUTHORIZATIONS**

The provisions of ACP-16, "Instructions on Signatures and Authorizations in Connection with the Execution of Applications for Payment or Related Papers under the Agricultural Conservation Program", are hereby made a part of these regulations.

**SEC. 13 PERFORMANCE OF DUTIES OF STATE AND COUNTY COMMITTEES IN HAWAII AND PUERTO RICO**

In the event State and county agricultural conservation committees have not been established in the Territory of Hawaii or Puerto Rico, the Officer in Charge, Agricultural Adjustment Administration, Territory of Hawaii, or Puerto Rico, as the case may be, shall perform the duties of both the State and county committees as set forth in these regulations.





Issued February 14, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1939 PRICE ADJUSTMENT PROGRAM REGULATIONS

Supplement No. 1

By virtue of the authority vested in the Secretary of Agriculture by the Price Adjustment Act of 1938, approved June 21, 1938 (Title V of Public Res. No. 122, 75th Congress; 52 Stat. 819), and pursuant to the provisions of Sections 301 and 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 43, 45), and the second paragraph of Section 15 of the Soil Conservation and Domestic Allotment Act, as amended by Section 104 of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 35), the 1939 Price Adjustment Program Regulations, as approved on January 13, 1939, are hereby amended as follows:

(1) Section 4 is hereby amended to read as follows:

Rate of Payment. The rate of payment with respect to each commodity shall be as follows:

- (a) Cotton - 1.6 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment.
- (b) Corn - 6 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment.
- (c) Wheat - 11 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment.
- (d) Rice - 12 cents per hundredweight of the normal yield per acre of rice for the farm for each acre in the rice allotment.

(c) Tobacco - No price adjustment payments shall be made with respect to tobacco since the average farm price of each kind of tobacco, as defined in Section 301 of the Agricultural Adjustment Act, as amended, equals or exceeds 75 percentum of the parity price of such kind of tobacco.

(2) Section 7 is hereby amended to read as follows:

Association expenses. No part of the price adjustment payment computed for any farm shall be deducted for county association expenses incurred or to be incurred in connection with the 1939 Price Adjustment Program.

(S E A L)

Done at Washington, D. C.,  
this 14th day of February, 1939.  
Witness my hand and the seal of  
the Department of Agriculture.

/s/ H. A. WALLACE  
\_\_\_\_\_  
Secretary of Agriculture.



Issued April 22, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

## 1939 PRICE ADJUSTMENT PROGRAM REGULATIONS

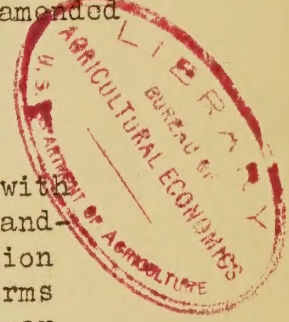
## Supplement No. 2

By virtue of the authority vested in the Secretary of Agriculture by the Price Adjustment Act of 1938, approved June 21, 1938 (Title V of Public Res. No. 122, 75th Congress; 52 Stat. 819), and pursuant to the provisions of Sections 301 and 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 43, 45), and the second paragraph of Section 15 of the Soil Conservation and Domestic Allotment Act, as amended by Section 104 of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 35), the 1939 Price Adjustment Program Regulations, as approved on January 13, 1939, and amended by Supplement No. 1 (P-2), are hereby amended as follows:

## (1) Section 5 is amended to read as follows:

"Division of Payment. The payment for a farm with respect to any commodity shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms of either planted acreages or percentages) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such commodity planted on the farm for harvest in 1939. Such determination shall be made at such time as compliance with the provisions of the 1939 Price Adjustment Program with respect to such commodity is certified by the county committee: Provided, That if any such commodity is not planted for harvest on the farm in 1939 or the acreage of such commodity is substantially reduced by flood, hail, drought, or insects, payment with respect to such commodity shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such commodity if the entire acreage in the acreage allotment for such commodity had been planted and harvested in 1939; Provided further, That in cases where two or more separately owned tracts of land comprise a farm, in areas designated by the Administrator as areas in which a substantial proportion of the farms are comprised of two or more separately owned tracts of land, upon the written agreement of all persons who are entitled to receive a share in the proceeds of any such commodity the share of each such person in the payment with respect to such commodity on the farm shall be that indicated in such

MAY 22 1939





written agreement by each such person as that share which fairly reflects the contribution of each such person to performance with respect to such commodity and also results substantially in a division of such payment among landlords, tenants, and sharecroppers as classes as each such class shares in the commodity or proceeds thereof with respect to which the payment is being made."

(2) Section 6 is hereby amended by adding at the end thereof the following paragraph:

"(d) Payment restricted to effectuation of purposes of the program. All or any part of any payments which would otherwise be made to any person under the 1939 Price Adjustment Program may be withheld if the county committee finds that he has overplanted or caused the overplanting of the acreage allotment which was or could have been established for a separately owned tract of land included in a combination farm and refuses to cooperate with other producers having an interest in the farm in making equitable adjustments with respect thereto.

[SEAL]

Done at Washington, D. C.,  
this 22d day of April, 1939.  
Witness my hand and the seal of  
the Department of Agriculture.

/S/ Harry L. Brown  
Acting Secretary of Agriculture.



Issued May 13, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

## 1939 PRICE ADJUSTMENT PROGRAM REGULATIONS

Supplement No. 3

JUL 12 1939

P-4

AL 49

142

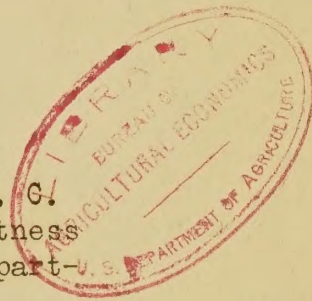
By virtue of the authority vested in the Secretary of Agriculture by the Price Adjustment Act of 1939, approved June 21, 1938 (Title V of Public Res. No. 122, 75th Congress; 52 Stat. 819), and pursuant to the provisions of Sections 301 and 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 43, 45), and the second paragraph of Section 15 of the Soil Conservation and Domestic Allotment Act, as amended by Section 104 of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 35), the 1939 Price Adjustment Program Regulations, as amended, are hereby amended as follows:

Section 2 is hereby amended to read as follows:

Eligibility for Payment. In order to be eligible for a price adjustment payment with respect to a commodity, a person must have an interest as a landlord, tenant, or share-cropper in a farm (1) for which an acreage allotment has been established for the commodity under the 1939 Agricultural Conservation Program; (2) on which the acreage planted to such commodity for harvest in 1939 is not in excess of such acreage allotment; and (3) which is not idle in 1939; or, in the case of wheat, on which such crop was planted for harvest in 1938 or 1939, or the county committee determines that the failure to plant wheat for harvest in at least one of such years was due to flood or drouth.

[SEAL]

Done at Washington, D. C.  
this 13th day of May 1939. Witness  
my hand and the seal of the Department of Agriculture.



/s/ H. A. Wallace  
Secretary of Agriculture



